IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6829 OF 2003

Hareshwar Jairam Keny..... .. Petitioner.

Versus

Raichand Rajmal Kothari & Ors.. Respondents.

None present for the Petitioner.

Mr. A. A. Kumbhakoni for Respondent No.1.

Ms. Leena Sawant for Respondent Nos.2 to 4.

CORAM : S. A. BOBDE, J.
DATED : FEBRUARY 18, 2005.

P.C.:

This writ petition questions the order dated 4th July, 2003 directing appointment of the Court Receiver in respect of the suit property. Mr. Kumbhakoni, learned Counsel for the Respondent No.1 points out, and in my view rightly, that the order is appellable under Order 43 Rule 1(s) of the Code of Civil Procedure. Therefore, this petition is liable to be dismissed and is, accordingly, dismissed.

2. The petitioner shall be at liberty to file appeal as may be advised in accordance with law.

3. Status quo as granted by this Court to continue for a period of two weeks from today.

Sd/-

S. A. BOBDE, J.